

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

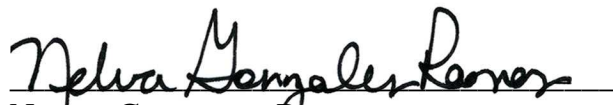
JOE HAND PROMOTIONS, INC.,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. C-12-31
	§	
VS JR, INC.; dba THE CADILLAC BAR;	§	
dba CADILLAC SPORTS BAR, <i>et al</i> ,	§	
	§	
Defendants.	§	

ORDER

Before the Court are two motions having to do with the determination of the applicable statute of limitations: (1) “Plaintiff’s Motion to Strike Defendants’ Affirmative Defense & Brief in Support” (D.E. 24); and (2) “Defendants’ Motion for Summary Judgment and Opposition/Response to Plaintiff’s Motion to Strike Defendants’ Affirmative Defense & Brief in Support” (D.E. 27). The Court finds that this question is governed by *Prostar v. Massachi*, 239 F.3d 669 (5th Cir. 2001) (*per curiam*) and that the three-year limitations period governing actions under the federal Copyright Act is applicable. This action was filed within three years of the alleged wrongdoing.

The Plaintiff’s Motion (D.E. 24) is GRANTED and the Defendants’ statute of limitations defense is STRICKEN. The Defendants’ Motion (D.E. 27) is DENIED.

ORDERED this 12th day of July, 2012.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE